

1. (Amended) An insulating material comprising a *non-woven blend* comprising a *polyester filling fibre and a cellulosic fibre* obtained by an organic spinning process, the material formed into a form selected from the group consisting of a padding, a stuffing, and a filling. (emphasis added)

Snyder describes fiberballs for pillows and cushions. Snyder describes blending fibers that are mechanically or structurally different (Snyder col. 6, lines 64-68). For example, Snyder describes blending a mechanically-crimped fiber with a low denier fiber. Snyder does not disclose or suggest blending fibers of different composition. In fact, Snyder discloses only one fiber composition - poly(ethylene terephthalate). "The invention is further described in the following Examples in which the fibers were all made from poly(ethylene terephthalate)." (Snyder col. 8, lines 54-56) Therefore, there is no motivation or suggestion in Snyder to use different composition fibers (*i.e.*, polyester filling fibre and a cellulosic fibre), as recited by the claims. The examiner seems to contend that the suggestion to blend mechanically different fibers is the same as a suggestion to blend different composition fibers. Applicant, however, believes that such a contention is untenable. In either event, there is no suggestion or motivation for combining Snyder with Kamat, as described in more detail below.

Kamat describes using blends of fibers for interlining. Interlining is a *stiffening* insert used to make portions of clothing (*e.g.*, collars and cuffs) stiffer. To provide such a stiffening insert, Kamat focuses on properties such as good bond strength and fusing performance (col. 4, line 15). Kamat does disclose a yarn comprising rayon and polyester (col. 3, lines 31-32). However, Kamat is directed to a woven blend (col. 3, line 39) and not a non-woven blend, as recited by the claims. Therefore, neither Snyder nor Kamat disclose a non-woven blend comprising a polyester filling fibre and a cellulosic fibre, as recited by the claims.

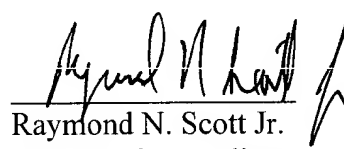
Moreover, there is no suggestion or motivation to combine Snyder and Kamat. That is, assuming *arguendo* that Snyder suggests blending different composition fibers, there is no motivation or suggestion to turn to the woven blends of Kamat, nor is there any motivation or suggestion to turn to the stiffening inserts of Kamat. That is, a person developing padding, stuffing, or filling (*e.g.*, for a pillow) would not turn to Kamat, who teaches how to make stiffening inserts, as the desired properties of padding (*e.g.*, insulation and breathability) are completely different than that of a good stiffening insert (*e.g.*, stiff with good bond strength and fusing). Therefore, the invention is not rendered obvious by the teachings of Snyder and Kamat.

Accordingly, applicant submits that the cited references does not render independent claim 1 as obvious. Additionally, inasmuch as dependent claims 2-12 (which have also been rejected over the cited references) are dependent on claim 1, these claims are patentable over the cited references, at least by virtue of their dependency. Accordingly, applicant respectfully requests reconsideration and withdrawal of the rejections of claims 1-12 under 35 U.S.C. § 103(a).

### **CONCLUSION**

In view of the foregoing amendments and remarks, applicant respectfully submits that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the examiner cannot allow the present application for any reason, the examiner is encouraged to contact the undersigned attorney, Raymond N. Scott Jr. at (215) 564-8951, to discuss resolution of any remaining issues.

Respectfully submitted,

  
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